

**Mr. Dennis L. Smith "Pro se"**  
**P.O. Box 311**  
**Selbyville, Del. 19975 - 0311**

November 2, 2007

The 03rd Judicial - Circuit of Federal - Appeal(s)

Ms. Marcia M. Waldron

21400 United States "Court - House"

601 Market Street

Philadelphia, Pa. 19106 - 1790

Express Mail: EQ 800919736 US

CLERK, U.S. DISTRICT COURT  
FILED  
DISTRICT OF DELAWARE  
2007 NOV - 6 PM 3:10

The Entire Active incumbent Judicial Justice(s) / Judgeship(s)

"E X C E P T" proven Super

indelibly, {de facto} Superficial

Judge Joseph J. Farnan Jr. of the  
Notorious United States District of

"D E L A W A R E"

844 King Street

Lockbox 18 - "Clerk"

Wilmington, Del. 19801 - 3570

Re; Smith v. Meyers / 3rd Cir. Civil **Action No. 07 - 3999** / Lower Court  
Civil docket **No. 07 - cv - 00525** U.S. Dist. of Del.

Please Take Notice;

This legal - letter is in direct - immediate response,. To the letter dated; **October 18, 2007** from the Honorable; United States 03rd Judicial Circuit(s), incumbent diligent - clerk see; Smith(s) attached ----- **Exhibit A**

While, I truly appreciate the total indubitable unequivocal at the first notice fact that my, in total "Good" "Faith", constitutional attempt to simply / request and legally summon that the inferior, but Honorable U.S. District Court of Delaware, simply morally & ethically as well as legally, - systematically, the proper situs for instant - "Action, was legally summoned as a matter, of law. The U.S. District Court of Del., in relevant, / pertinent regard(s), to the "Federalized "Injunctive "Appropriate, "Constitutional - "Relief, that, I had as a matter, of law "Legally - "Petitioned for,. In which, was due to the "**Color, of my "Skin**, wrongfully - heinously - fundamentally - "**DENIED**.

Continue on page 2

**Ms. Marcia M. Waldron** and the Entire Active incumbent Judicial Justice(s) / Judgeship(s) " **E X C E P T** " proven Super indelibly, **{de facto}** Superficial **Judge Joseph J. Farnan Jr.**

November 2, 2007

Page 2

This, Honorable, body, of "Administrative - "Professional(s), of the "Elite, "Prestigious, 03rd United States Judicial Circuit, of "Federal - "Appeal(s), **Must please understand**, this unlawful, but on the record, " **Depotic - " Web, of unconstitutional, " Bias, and " Illegal - " Prejudice**, against my person,. For, simply lawfully exercising, my "Civil - "Inalienable "Libertie(s), to have any matter, brought lawfully, / jurisdictionally before any "Federal - "Court - of - "Law; "Legally - "ENFORCED, As, a matter, of "Equal - "Justice, under the law. **Plain, and simple, I have, again and again**, legally forwarded, very compelling, super - preponderance(s), of the evidence. Understatement, and in fact, please review, the following:

**{ A }** . The **July 12, 2006** mutual legal agreement, Notarized and recorded in Book 00913 page 046, **clearly on it's face**, Mutually - Agreed, upon, ( via ) both partie(s), as myself, and Ms. Patricia A. Meyers, respectively, **signed, initialed and recorded as any WHITE MAN, and/or any other citizen / constituent** would do, As a matter, of "RECORD,. IN, which simply systematically - "STIPULATED;

**{ 01 }** . That, I Mr. Dennis L. Smith, would continue to uphold the **" Power of Attorney "**, recorded in Book 00776 page 041, concerning her ( **Ms. Patricia A. Meyers'** ) **2.5 acres, which is now know as parcel B**, which we had both vehemently – mutually agreed, that I would **totally over-see**; As, my Manifest - Sole mutual concern, was / is based upon, **my obligation(s)**, to administer and to abide ( via ), the mutually agreed upon, document, in it's self, of itself,  
Please see attached ----- **Exhibit B**

P L E A S E   T A K E   N O T I C E;

PLEASE, ALSO BE LEGALLY / OFFICIALLY - "ADVISED; **42 U.S.C.A. § 1985(3)**. In, which has illegally, / unlawfully, led, to the very irrational, "Wrongful - "DESPOTIC - Malfeasance - "Color of office; **42 U.S.C.A. § 1981(a). § 1983**, of, the super de facto; "Racist, currently - incumbent judge-ship; Mr. Joseph J. Farnan Jr., Whom, has intentionally, - unethically, **wrongfully - { DENIED }**, my "Inalienable "Civil - "Libertie(s),. To have, had a "Fully - "Constitutional; **Injunctive – Preventive " RESTRAINING - " ORDER**, as was Legally - "Overtly –

Continue on page 3

**Ms. Marcia M. Waldron** and the Entire Active incumbent Judicial Justice(s) / Judgeship(s) " **E X C E P T** " proven Super indelibly, **{de facto}** Superficial **Judge Joseph J. Farnan Jr.**

November 2, 2007

Page 3

"Petitioned for, in which was wrongfully - heinously adversely **DENIED**, also, due to the **"Color, of my "Skin**,. Sic, ... , therefore, my first, legal - reaction; to summon, the "Court above, since " Prohibited / "Proscribed, "Racial - injustice, and "Illicit - "Arbitrary, & "Capricious - Malfeasance - "Color of "Law - like, wrong - ful act(s), of the judge-ship, in direct question, will not rest. I will find "Equal Justice, under the "Law. Also, the key, reason(s), why, I felt legally compelled, not to even remotely continue, in the de facto, U.S. District Court of Del., I, truly feel / felt, that judge; Farnan, was not, ever going, to take my "Legal - position, / position(s) - seriously,. As, his Honorable, Sacred " **Oath**, so mandatorily, portray(s), See; Title **28 U.S.C.A. § 453. U.S.C.A. § 1331**. Again, there is absolutely, no doubt, in my mind, that "Prohibited "ARBITRARY, and "CAPRICIOUS, "Abuse, of lawful authority, transgression(s), / evidence(s), / situation(s), of **very continued, / still continuing "Biased**, but totally vitreous, erroneous, plain errored / **assignment of error(s), is why I did legally petition, the Honorable 03rd Judicial Circuit of Federal "Appeal(s),. As a mater, of law**, in which is / was my "Inalienable "Right, as a matter of law. Also, **please remember, the purpose, of "Interlocutory -"Appeal(s)**, in which is thus, also one of my, "Inalienable - "Legal - "Avenue(s), if I so choose, under the law(s).

"Imperative; Clarification; Of the day, that I filed, for "Constitutional "Injunctive - "Relief; / " **T E M P O R A R Y R E S T R A I N I N G "O R D E R**", on, this day in question; **August 30, 2007**, I, ( Mr. Dennis L. Smith ) was asked (via), Court Deputy - Clerk Staff; **and I quote; would you like to see a judge, right now ?**

MY RESPONSE, was and I quote; If, need be, I can wait, until tomorrow, if necessary,. However, I did not, want, nor anticipate, any [ problem(s) ], with the court. I thought that the usual fashion, would be legally appropriate, due to the **legal, document(s), "SPOKE for themselfe(s)**. Also, **please note; I, do Honor and respect all "Court(s), of "Law, and all Justice(s), but respectfully, Judge Joseph J. Farnan Jr.**, wrongful acts as mentioned are unconstitutional and a **SHAME**, in HIGH COURT of LAW.

Also, dear; Clerk, Ms. Marcia M. Waldron, mam / young - lady ! I, am steadfastly, "Legally considering, possibly amending my "Viable "Notice of "Appeal, to an **"Interlocutory - Viable - Vehement - Legal - "Summoning, as a matter,**

**Ms. Marcia M. Waldron** and the Entire Active incumbent Judicial Justice(s) / Judgeship(s) " **E X C E P T** " proven Super indelibly, **{de facto}** Superficial **Judge Joseph J. Farnan Jr.**

November 2, 2007

Page 4

**of law**, how-ever, please Hold, in "Lawful - "ABEYANCE, the pecuniary - monie(s), heretofore, sent forth,. As a matter, of law,. I, will be intouch with, the 03rd Circuit, on this matter, in { 10 } day(s), or so,. Unless, this Honorable - "High - "Court, does ( via ), Sua sponte, rule, or supercedingly - advise - other-wise,. I, truly feel yet, again, wrongfully -"Prejudiced, (via), the de facto, court, below, U.S. Dist. Court of Del., and de facto, / despotic; judge; Farnan,. and the adverse partie(s), as heretofore, listed think, that since, I have " **NO** " **withstanding Restraining Order**, that they can, do as they want to, in which as I, re-reiterate I am truly – wrongfully prejudiced, in which is totally, inconsistent, with the Rudimentary – Elemental / Fundamental, - Mandate(s), of the **Due Process Clause**, see **U.S Constitutional 5<sup>th</sup> and 14<sup>th</sup> Amendent(s)**.

Respectfully Submitted,



Mr. Dennis L. Smith

**Cc:** Incumbent Clerk, **Ms. Marcia M. Waldron** of the Third Judicial circuit of the United States.

Ms. Patricia A. Meyers, and her son, Mr. Mack L. Davis Jr., and all of her sibling(s)

Mr. Steven S. Krebs and his Mother Ms. Barbara Krebs

For Verification purpose(s) only; John Brady

**Enclosed:** Letter dated **October 18, 2007 ---- Exhibit A**

Mutual agreement document dated **July 12, 2006 ----- Exhibit B**

**In The United States District Court  
For The District of Delaware**

Mr. Dennis L. Smith Sr.

Petitioner,

vs.

Ms. Patricia A. Meyers, and her son  
Mr. Mack L. Davis Jr., and all of her  
sibling(s),

Mr. Steven S. Krebs, and his mother  
Ms. Barbara Krebs and any other  
person(s) who Attempt, to "ILLEGALLY  
- "OBSTRUCT - Power of Attorney  
Document Book / No. 00776 page;  
041 Legal Dated 10-27-03 of the  
Sussex County Delaware Office of the  
{Incumbent} recorder of Deed(s) }

**Re; Equal - Right(s);**

**In ref: Vindication of civil Right(s)**

**Here – under; 42 U.S.C.A § 1988.**

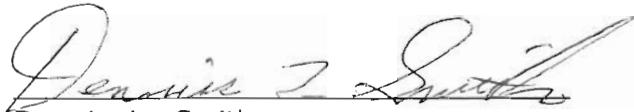
This is not a lawsuit. The sole purpose  
of this is to simply constitutionally  
**enforce 42 U.S.C.A. § 1981(b). under  
the Law.**

Respondent(s).

**AFFIDAVIT OF DENNIS L. SMITH**

STATES OF DELAWARE :  
: SS.  
NEW CASTLE COUNTY :

The, preceding - indelible truthful – statement(s) in the **Response Letter**  
**dated November 2, 2007**, are true to the best of my knowledge and belief(s);  
of; Dennis L. Smith and are in full vehement compliance / Compliance(s) Here-  
with / Here – under; **28 U.S.C.A. § 1746**, and **18 U.S.C.A. § 1621**.

  
Dennis L. Smith

November 5, 2007  
Date

CERTIFICATE OF SERVICE

I hereby certify that the original and three copies of this **Response Letter dated November 2, 2007**, have been **Express Mailed** or hand delivered on this 5 day of November 2007, to the United States Court of Appeals and three copies to Respondent(s) at the following addresses:

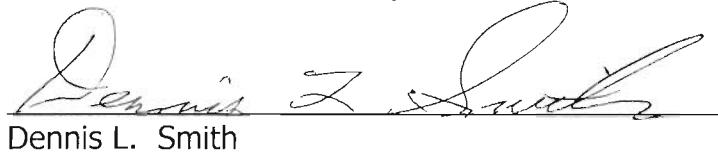
Mr. Peter T. Dalleo  
Office of the Clerk  
United States District Court  
844 N. King Street, Lockbox 18  
Wilmington, Delaware 19801 – 3570  
**Express Mail: EQ 800919740 US**

Ms. Patricia A. Meyers, and her Son,  
Mr. Mack L. Davis Jr., and  
all of her sibling(s)  
RR 4 Box 103A  
Frankford, Delaware 19945  
**Express Mail: EQ 800924696 US**

Mr. Steven S. Krebs and  
his Mother Ms. Barbara Krebs  
P.O. Box 796  
Selbyville, Delaware 19975  
**Express Mail: EQ 800924705 US**

For Verification purpose(s) only;  
John Brady  
Recorder of Deeds  
2 The Circle  
P. O. Box 827  
Georgetown, Delaware 19947  
**Express Mail: EQ 800924719 US**

All mentioned above, certified mailed or hand Delivered by Dennis L. Smith.



Dennis L. Smith

**UNITED STATES COURT OF APPEALS**

*Exhibit A*

21400 UNITED STATES COURTHOUSE  
601 MARKET STREET  
PHILADELPHIA 19106-1790

MARCI M. WALDRON

CLERK

October 18, 2007

Telephone  
(215-597-2378)

Mr. Dennis Lee Smith  
P.O. Box 311  
Selbyville, DE 19975

Re: **Smith v. Meyers**  
C.A. No. 07-3999  
(D. Del. Civ. No. 07-cv-00525)

Dear Mr. Smith:

This will advise you that the above-captioned appeal will be submitted to a panel of this Court for possible dismissal due to a jurisdictional defect. It appears that this Court may lack appellate jurisdiction for the following reason:

The order that you have appealed may not be reviewable at this time by a court of appeals. Only final orders of the district courts may be reviewed. 28 U.S.C. §1291 (**enclosed**).

Jurisdictional defects cannot be remedied by the court of appeals. The parties may submit written argument in support of or in opposition to dismissal of the appeal for lack of appellate jurisdiction. Any response regarding jurisdiction must be in proper form (original and three copies, with certificate of service) and must be filed within 21-days from the date of this letter. Upon expiration of the response period, the case will be submitted to the Court for consideration of the jurisdictional question.

The parties will be advised of any Order issued in this matter.

Very truly yours,

*/s/ Laura L. Greene*  
LAURA L. GREENE  
Staff Attorney

LLG/clj

(Continued)

36350

500913 2046

Agreement

Tax Map # 5-33 11.00 82.00

Prepared by: Dennis L. Smith  
 Return to: Route 3, Box 96  
 Frankford, DE 19945

TO ALL PERSONS, be it known that Patricia A. Meyers, drivers license No. 427897, of RT 4 Box 103A Frankford, DE 19945, located in Sussex County, and Dennis L. Smith, drivers license No. 829030, of Route 3, Box 96 Frankford DE 19945 located in Sussex County, agreed to the following:

Concerning Tax Map # 5-33 11.00 82.00 Tract 3, Plot book 92, page 126, whether past, present or future, Ms. Patricia A. Meyers agreed to never sue and/or file a lawsuit against Mr. Dennis L. Smith concerning or for any property that she sold to him and/or that she continues to own. Also, Mr. Dennis L. Smith agreed to never sue and/or file a lawsuit against Ms. Patricia A. Meyers involving her 2.5 acres +/- parcel B, which Mr. Dennis L. Smith has the October 27, 2003, power of attorney. This power of attorney was granted by Ms. Patricia A. Meyers, and was recorded in the Recorder of Deeds book No. 00776, page 041.

Mr. Dennis L. Smith and Ms. Patricia A. Meyers agreed that Mr. Dennis L. Smith will continue with civil case 1120-S and agreed, whether past, present or future, that Mr. Dennis L. Smith will not sue and/or file a lawsuit against her, concerning his involvement in civil case No. 069-S, and his involvement in civil case No. 1120-S.

Mr. Dennis L. Smith and Ms. Patricia A. Meyers agreed, whether past, present or future, that Mr. Dennis L. Smith will not sue and/or file a lawsuit against her, for any problems that may come from her letter dated July 8, 2006, certified mail No. 7002 0460 0001 5100 2767, concerning civil case No. 1120-S.

Mr. Dennis L. Smith and Ms. Patricia A. Meyers agreed, whether past, present or future, that Mr. Dennis L. Smith will not sue and/or file a lawsuit against her, concerning two false arrests, which was Nolle Prosequi, involving civil case No. 1120-S.

Mr. Dennis L. Smith, a friend of family, agreed to place a type of house or a type of house trailer on Ms. Patricia A. Meyers' 2.5 acres parcel as mentioned above, some time after this property is completely cleared. Ms. Patricia A. Meyers and Mr. Dennis L. Smith agreed, that this document may be recorded in the Recorder of Deeds.

IN WITNESS WHEREOF, I have hereunto set my Hand and Seal on this 12 day of July, A.D. 2006.

Witnesseth:

RECORDER OF DEEDS

JOHN F. BRADY

Witness

06 JUL 13 PM 2:15

Patricia A. Meyers

SUSSEX COUNTY  
 000. SURCHARGE PAID Dennis L. Smith

STATE OF DELAWARE :

ss.

COUNTY OF SUSSEX :

I HEREBY CERTIFY that on this 12 day of July, A.D. 2006, personally came before me, a Notary Public for the State and County aforesaid, Patricia A. Meyers and Dennis L. Smith, and acknowledged the foregoing agreement to be their act and deed.

Karen M. Samsel  
 NOTARY PUBLIC  
 KAREN M. SAMSEL

Notary Public - State of Delaware  
 My Comm. Expires Mar. 10, 2007